

- III. Claim 14, drawn to a method for identifying a substance that modulates binding of an XB3 protein to XA21, classified in class 435, subclass 15, for example.
- IV. Claim 15, drawn to a method of producing an XB3 protein in a cultured cell, classified in class 435, subclass 69.1, for example.
- V. Claim 16, drawn to a method of identifying a substance that modulates expression of a gene encoding XB3, classified in class 435, subclass 6, for example.
- VI. Claims 17 and 18, drawn to a method of isolating a substance that binds XB3, classified in class 435, subclass 7.1, for example.
- VII. Claims 21 and 22, drawn to a method of modulating disease resistance in a plant cell or seed with a nucleic acid that modulates expression of a native XB3, classified in class 800, subclass 285, for example.
- VIII. Claims 23 and 24, drawn to a method of modulating disease resistance in a plant cell or seed by expressing a polypeptide that inhibits functional activity of a native XB3, classified in class 800, subclass 279, for example.

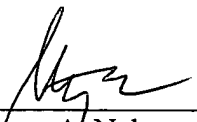
Applicants hereby elect without traverse Group I (claims 1-7, 19 and 20), drawn to a purified nucleic acid encoding a XB3 protein or an XB3-like protein, a vector comprising said nucleic acid, a cell comprising said nucleic acid and a method of modulating disease resistance in a plant cell or seed by transforming a plant cell with said nucleic acid, classified in class 536, subclass 23.6, for example.

Withdrawal of the outstanding restriction requirement and examination on the merits is respectfully requested.

Respectfully submitted,

AKERMAN SENTERFITT

Dated: October 30, 2002



---

Gregory A. Nelson, Esq.  
Registration No. 30,577  
Stanley A. Kim, Ph.D., Esq.  
Registration No. 42,730  
222 Lakeview Avenue, Suite 400  
P.O. Box 3188  
West Palm Beach, FL 33402-3188  
Tel: 561-653-5000